



New Jersey Department of Children and Families Policy Manual

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State law mandates that each child shall receive a free and appropriate education. Federal law requires that a state shall provide an educational program to a homeless child based upon the child's best interest. A homeless child is one who temporarily lacks a fixed, regular and adequate residence.

The school district of residence is responsible for the education of a homeless child. If a homeless family temporarily moves from one school district to another, the school district where the child's parent lived before the family became homeless is considered to be the school district of residence. It is this district which consults with the child's parent or guardian and determines the educational placement of the child based upon the child's best interest.

This determination may be to:

- continue the child's education in the child's school district of residence;
- enroll the child in the school district where the child is temporarily living; or
- enroll the child in the school district the child last attended, if this is not the school district of residence.

The educational plan for the child may involve transportation or a special program. The school district of residence is responsible for planning and paying for the child's tuition and any transportation costs involved.

If the district of residence cannot be determined or if the child's prior school district was outside the state, the state is responsible for the cost of the child's education.

If the child's parent or guardian objects to the determination made by the school district of residence, the county Superintendent of Schools is notified and within 48 hours shall determine the placement of the child based on criteria established by the State Board of

Education. Any appeals regarding the determination will be resolved according to rules established by the State Board of Education.